

PROGRAM NARRATIVE**188 Commission on Legal Counsel for Indigents****Date:** 12/23/2014**Time:** 11:58:02**Program:** Counsel for Indigents Operations**Reporting level:** 00-188-100-00-00-00-00000000**Program Performance Measures**

The Commission oversees the administrative office and evaluates the Executive Director, who, in turn, evaluates staff of the administrative office and staff of the public defender offices (after the Supervising Attorney performs his/her evaluation). Attorneys for the agency must meet standards provided in the Rules of Professional Conduct and State Bar Association of North Dakota.

Attorneys contracted with our agency must meet the Minimum Performance Standards as adopted by our agency, as well as standards provided in the Rules of Professional Conduct and State Bar Association of North Dakota. Attorneys contracted with our agency must provide to us updated proof of malpractice insurance as well as any disciplinary complaints. the also must stay current in their case reporting duties.

Program Statistical Data

The contract attorneys in North Dakota are assigned roughly 64% of our total cases in a years time. The full time public defenders handle the remaining 36% of the cases. We assign approximately 12,000 cases a year throughout the state of North Dakota, with the majority of those cases being criminal cases, next followed by juvenile court assignments.

Explanation of Program Costs

The majority of costs for our program include fees for non-contract attorneys (who handle conflict cases), monthly fees paid to contract attorneys, and salaries and benefits for the agency's 33 full-time employees and about 10 part-time employees. Other significant costs would include the administrative costs of running the offices, IT costs, travel for employees, travel for contracted attorneys, and support services (medical experts, private investigators, and mental evaluations) for cases to which attorneys are assigned.

PROGRAM NARRATIVE**188 Commission on Legal Counsel for Indigents****Date:** 12/23/2014**Time:** 11:58:02**Program:** Counsel for Indigents Operations**Reporting level:** 00-188-100-00-00-00-00000000**Program Goals and Objectives**

The goal of our program is to provide quality licensed counsel for indigent persons who qualify for counsel in accordance with adopted indigency guidelines. (We utilize the Federal Poverty Guidelines in our indigency determinations). If a person earns more than 125% of the Federal Poverty Guidelines, then he or she will most likely not qualify for appointed counsel. (There are some extenuating factors to consider). Our goal is to have our attorneys meet performance guidelines and rules of professional responsibility in their legal representation of their client to insure that the client is adequately represented in the court system. We also encourage our attorneys to attend relevant trainings to improve upon their skills.

REQUEST DETAIL BY PROGRAM

188 Commission on Legal Counsel for Indigents

Bill#: HB1022

Date: 12/23/2014

Time: 11:58:02

Biennium: 2015-2017

Program: Counsel for Indigents Operations		Reporting Level: 00-188-100-00-00-00-00000000			
Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Request 2015-2017
Accrued Leave Payments					
Salaries - Permanent	0	116,872	(116,872)	0	0
Total	0	116,872	(116,872)	0	0
Accrued Leave Payments					
General Fund	0	116,872	(116,872)	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	116,872	(116,872)	0	0
Legal Counsel for Indigents					
Salaries - Permanent	3,510,205	3,900,000	280,139	4,180,139	967,200
Temporary Salaries	281,848	760,000	54,903	814,903	0
Overtime	2,620	25,000	(25,000)	0	0
Fringe Benefits	1,296,394	1,580,000	123,482	1,703,482	407,354
Travel	242,740	280,000	0	280,000	16,000
Supplies - IT Software	2,095	1,950	0	1,950	4,000
Supply/Material-Professional	62,905	80,000	0	80,000	4,000
Miscellaneous Supplies	4,437	6,400	0	6,400	3,000
Office Supplies	40,617	55,000	0	55,000	8,000
Postage	33,717	37,000	0	37,000	3,000
Printing	8,097	11,018	0	11,018	1,000
IT Equip Under \$5,000	36,509	35,000	0	35,000	15,000
Other Equip Under \$5,000	9,726	7,600	0	7,600	10,000
Office Equip & Furn Supplies	21,928	43,000	0	43,000	28,000
Utilities	0	500	0	500	0
Insurance	2,265	2,500	0	2,500	50
Rentals/Leases - Bldg/Land	367,872	600,000	0	600,000	168,000
Repairs	4,016	2,000	0	2,000	2,000
IT - Data Processing	113,786	120,000	0	120,000	1,500
IT - Communications	69,011	80,000	0	80,000	6,000
IT Contractual Svcs and Rprs	23,350	17,500	0	17,500	3,000
Professional Development	32,052	50,580	0	50,580	2,400
Operating Fees and Services	119,864	128,500	0	128,500	6,400
Fees - Professional Services	5,362,789	6,480,856	(806,625)	5,674,231	4,394,662
Other Expenses	0	0	0	0	144,000
Total	11,648,843	14,304,404	(373,101)	13,931,303	6,194,566

Legal Counsel for Indigents

REQUEST DETAIL BY PROGRAM

188 Commission on Legal Counsel for Indigents

Bill#: HB1022

Date: 12/23/2014

Time: 11:58:02

Biennium: 2015-2017

Program: Counsel for Indigents Operations		Reporting Level: 00-188-100-00-00-00-00000000			
Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Request 2015-2017
General Fund	9,804,240	11,806,538	224,764	12,031,302	6,194,566
Federal Funds	0	0	0	0	0
Special Funds	1,844,603	2,497,866	(597,865)	1,900,001	0
Total	11,648,843	14,304,404	(373,101)	13,931,303	6,194,566
Total Expenditures	11,648,843	14,421,276	(489,973)	13,931,303	6,194,566
Funding Sources					
General Fund					
Total	9,804,240	11,923,410	107,892	12,031,302	6,194,566
Special Funds					
282 Indigent Defense Admin. Fund	1,844,603	2,497,866	(597,865)	1,900,001	0
Total	1,844,603	2,497,866	(597,865)	1,900,001	0
Total Funding Sources	11,648,843	14,421,276	(489,973)	13,931,303	6,194,566
FTE Employees	30.00	33.00	0.00	33.00	9.00

CHANGE PACKAGE DETAIL

188 Commission on Legal Counsel for Indigents

Bill#: HB1022

Date: 12/23/2014

Time: 11:58:02

Biennium: 2015-2017

Program: Counsel for Indigents Operations			Reporting Level: 00-188-100-00-00-00-00000000			
Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds

Base Budget Changes**Ongoing Budget Changes**

A-A 5 Base Budget Reduction		0.00	(194,662)	0	0	(194,662)
A-A 7 Base Budget Reduction		0.00	0	0	(611,963)	(611,963)
Base Payroll Change		0.00	302,554	0	14,098	316,652
Total Ongoing Budget Changes		0.00	107,892	0	(597,865)	(489,973)
Total Base Budget Changes		0.00	107,892	0	(597,865)	(489,973)

Optional Budget Changes**Ongoing Optional Changes**

A-C 6 Funding to Restore Budget	1	0.00	194,662	0	0	194,662
A-C 1 Change 5 Temp Employees to FTE	2	5.00	720,794	0	0	720,794
A-C 2 Increase to General Fund approp to defray expens	3	0.00	4,200,000	0	0	4,200,000
A-C 4 Create Watford City Office	4	2.00	539,555	0	0	539,555
A-C 3 Create Dickinson Conflict Office	5	2.00	539,555	0	0	539,555
Total Ongoing Optional Changes		9.00	6,194,566	0	0	6,194,566
Total Optional Budget Changes		9.00	6,194,566	0	0	6,194,566